

MANDATE

14-4354

United States of America v. Kenner

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO A SUMMARY ORDER FILED ON OR AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY FEDERAL RULE OF APPELLATE PROCEDURE 32.1 AND THIS COURT'S LOCAL RULE 32.1.1. WHEN CITING A SUMMARY ORDER IN A DOCUMENT FILED WITH THIS COURT, A PARTY MUST CITE EITHER THE FEDERAL APPENDIX OR AN ELECTRONIC DATABASE (WITH THE NOTATION "SUMMARY ORDER"). A PARTY CITING TO A SUMMARY ORDER MUST SERVE A COPY OF IT ON ANY PARTY NOT REPRESENTED BY COUNSEL.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 7th day of January, two thousand fifteen.

PRESENT:

GERARD E. LYNCH,
DENNY CHIN,
Circuit Judges,
JOHN G. KOELTL,
*District Judge.**

UNITED STATES OF AMERICA,

Appellee,

v.

14-4354

TOMMY C. CONSTANTINE, AKA Tommy
C. Hormovitis.,

Defendant,

PHILLIP A. KENNER,

Defendant-Appellant.

* The Honorable John G. Koeltl, United States District Judge for the Southern District of New York, sitting by designation.

MANDATE ISSUED ON 02/09/2015

FOR APPELLEE:

Saritha Komatireddy, Assistant United States Attorney (Susan Corkery, Assistant United States Attorney, *on the brief*) for Loretta E. Lynch, United States Attorney, Eastern District of New York, Brooklyn, NY.

FOR DEFENDANT-APPELLANT: Richard Haley, Haley Weinblatt & Calcagni, LLP, Islandia, NY.

Appeal from an order of the United States District Court for the Eastern District of New York (Joseph F. Bianco, *J.*).



UPON DUE CONSIDERATION, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the order of the district court is **AFFIRMED**.

Phillip A. Kenner appeals from an order of the district court denying his motion to be released on bond pending trial on an indictment for mail fraud, wire fraud, and money laundering. 18 U.S.C. §§ 1343, 1349, 1956. We have considered Kenner's arguments and affirm the denial of his motion substantially for the reasons stated by the district court.

Accordingly, we **AFFIRM** the order of the district court.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit